

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DIANE JOHNSON and WANDA HOPKINS, **PLAINTIFFS,**
VS. **CIVIL ACTION NO. 4:05CV172-P-A**
COLDWELL REAL ESTATE CORPORATION, **DEFENDANTS.**
ET AL.,

ORDER COMPELLING ARBITRATION

This matter comes before the court upon the Fifth Circuit Court of Appeals' decision in *Johnson v. The Provident Bank/PCFS*, No. 07-60324 in which the Court ruled that this court must reinstate its August 18, 2006 Order compelling arbitration.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant National City Bank, N.A.'s Motion to Compel Arbitration and for Stay, or in the Alternative, for Partial Summary Judgment [78] is **GRANTED** insofar as
- (2) All of the plaintiffs' claims against National City Bank, N.A. are **COMPELLED TO ARBITRATION**; and
- (2) The plaintiffs' claims against National City Bank, N.A. are **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this the 14th day of May, A.D., 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE